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MAINTENANCE OF INTERNATIONAL SECURITY

RIGHTS OF PEOPLES TO SELF-DETERMINATION

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 6 May 1994 from the Permanent Representative of Albania to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith, the text of the Appeal addressed to you on 1 May 1994 by 75 prominent Albanian intellectuals on behalf of all Albanian intellectuals.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under items 72, 98 and 104 (c) of the preliminary list.

(Signed) Pellumb KULLA
Permanent Representative

* A/49/50/Rev.1.

ANNEX

Appeal of Albanian intellectuals, addressed to the Secretary-General on 1 May 1994

The recent events related to the crisis in the former Yugoslavia revive the hope that things are arriving at a turning-point concerning the resolution of the Bosnian crisis. The creation of the Croatian-Muslim Federation is good news, a sign of a serious approach that may open new ways and vistas to world diplomacy for a just and stable solution of the problems in the whole of the Balkans region.

Albanian intellectuals hold that this is a crucial moment for the Albanian national question, which must mark its return to the agenda of international politics and the treatment of the historical truth with new attention and greater sensibility in relation to the principles of the Charter of the United Nations.

It is the aspiration of the Albanian people on both sides of the border, and also in the interest of all the peoples of the region and of peace in Europe, that this ray of light, appearing on the horizon of international politics, should have an impact on the reopening of the Albanian file.

In the present conditions, the suspended questions that have appeared as a result of the disintegration of the Yugoslav Federation may be solved only through realistic policies, considering the concrete situations and abiding by international law, from which several multilateral acts stem. The Kosova question, as one of the fundamental components of the Yugoslav crisis, which is not at all "an inner Serbian question", by all means calls for a re-examination and proper solution based on new democratic principles.

As a starting-point, general official and unofficial opinion should be aware of all the elements of the Albanian national question.

The fundamental determinant criteria in solving problems of this character at the end of the present century is the principle of self-determination of peoples. International law is an obligation before the United Nations. In our opinion, this obligation stems from General Assembly resolution 1514 (XV) of 14 December 1960 entitled "Declaration on the Granting of Independence to Colonial Countries and Peoples". In paragraph 1 of that resolution, the General Assembly declared that "the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to world peace and cooperation". Paragraph 2 is formulated in a way that leaves no room for an equivocal interpretation: "All peoples have the right to self-determination ... they freely determine their political status ...". The principle of self-determination has found new meaningful confirmation in acts of the Conference on Security and Cooperation in Europe and documents of the European Union.

Currently, the international community is directly engaged in resolving problems regarding relations between nations and States. Hence, there can be no solution outside the principles consecrated by a series of international instruments. The United Nations is at the same time their initiator and depository. From the point of view of these instruments, the Kosova question cannot be included in the Procrustean bed of the minority regime. Taking into account its proportions and complexity, it makes up a typical case of a colonial regime, doubled with violations of individual and collective rights, which are nothing but apartheid and segregation against the Albanian population. Under these conditions, intervention by the United Nations is absolutely indispensable because of the aftermath of further escalation of the present Albanian-Serb crisis and of repercussions in the region and beyond. Unless the Serbian occupier is halted in time, it will commit a real holocaust against the Albanian population of Kosova.

Proceeding from the above situation, we, the Albanian intellectuals, separated by borders but united by the national ideal, address to you an appeal that the question of the future of Kosova and of all the Albanians residing in the former Republics of the disintegrated Yugoslav Federation - in Macedonia, south-eastern Serbia and Montenegro - be treated as soon as possible in a special international conference under the auspices of the Organization.

The following principles are imperative for the entire Albanian nation:

(a) Recognition of the Republic of Kosova as an independent, sovereign and neutral State, placing it under the observation and protection of international bodies;

(b) Recognition of the right of the Albanians of Macedonia, who make up 40 per cent of its population, to be a substantial, constitutive component of the State;

(c) Recognition and observation of the national and human rights of the Albanians in Montenegro and south-eastern Serbia according to the Helsinki Final Act and the Paris Charter.

The Albanian people solemnly pledge that they will strictly observe these rights for their ethnic minorities.

We are fully convinced that the presence and active care of the United Nations is a decisive guarantee for the finding and realization in practice of a just and stable solution that would put an end once and for all to the painful chapter of Balkan conflicts and hostilities.

In conclusion, we also hope that you will act as quickly as is demanded by this question, which threatens to degenerate into a conflict without any resolution.

APPENDIX

List of signatories

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